

REMARKS/ARGUMENTS

Claims 1–14 are pending in the above-captioned application, and all of these claims stand rejected. Two timely filed terminal disclaimers accompany this response. No amendments have been made to the claims.

I. Terminal Disclaimers

1. The terminal disclaimer filed by Applicants on 6/9/2008 disclaiming the terminal portion of any patent granted on the present application that would extend beyond the expiration date of U.S. Patent No. 6,756,019 was not accepted by the Examiner because the person who electronically signed the terminal disclaimer, Frank Nicholas, was not recognized by the Examiner as being authorized to act on behalf of the assignee. A signed PTO/SB/82 Form (Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address) has been filed along with a signed PTO/SB/80 Form (Power of Attorney to Prosecute Applications Before the USPTO) in this case. Mr. Nicholas, as well as the undersigned attorney, is now authorized to act.

2. The terminal disclaimer filed by Applicants on 6/9/2008 disclaiming the terminal portion of any patent granted on the present application that would extend beyond the expiration date of U.S. Patent No. 6,251,343 was also not accepted by the Examiner because the person who electronically signed the terminal disclaimer, Frank Nicholas, was not recognized by the Examiner as being authorized to act on behalf of the assignee. As described above, both Mr. Nicholas and the undersigned attorney are now authorized to act.

II. Claim rejections on the ground of nonstatutory double patenting

1. Claims 1–14 were rejected on the ground of nonstatutory double patenting over claims 1, 11, 23–27, 30, 46, 47, 63–70, and 73–80 of U.S. Patent No. 6,756,019.

2. Claims 1–14 were rejected on the ground of nonstatutory double patenting over claims 1–11, 19, 20, 23–25, 33–40, and 43 of U.S. Patent No. 6,251,343.

Two new timely filed terminal disclaimers in compliance with 37 CFR 3.73(b) accompany this Office action response. As indicated in each of the disclaimers, U.S. Patent

Nos. 6,756,019 and 6,251,343 are commonly owned with this application. Withdrawal of the rejection is respectfully requested in view of the terminal disclaimers that accompany this paper.

Conclusion

For the foregoing reasons, Applicants believe all the pending claims are in condition for allowance and should be passed to issue. If the Examiner believes that a telephone interview would expedite the examination of this application, the Examiner is requested to contact the undersigned attorney at the telephone number provided below.

Respectfully submitted,

/Ann C. Petersen/

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